

CLASSIFICATION OFFICE DECISION

Title of publication: th_100203297_34645_123_513lo.jpg

Other known title(s): Not stated

OFLC ref: 1300932.009

Medium: Computer Image File

Publisher: Not stated

Country of origin: Not stated

Language: Not applicable

Applicant: The District Court at Dunedin

Classification:	Objectionable.
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Descriptive note: None

Display conditions: None

Date of entry in Register: 17 October 2013

Date of direction to issue a label: No direction to issue a label has been issued

Date of notice of decision: No notice of decision has been issued

Summary of reasons for decision:

The computer image file promotes and supports the exploitation of children for sexual purposes. The image focuses on a pre-pubescent girl's nudity. For those with a sexual interest in children and inclined to see them as sexually arousing, the publication serves to legitimise and encourage that interest.

The Classification Office has considered the effects of the New Zealand Bill of Rights Act 1990 on the application of the classification criteria. The classification of this publication interferes with the freedom of expression, but this is an outcome that is consistent with Parliament's intention that publications falling under s3(2) of the Films, Videos, and Publications Classification Act 1993 are deemed to be objectionable. The classification is also a reasonable limitation on the freedom of expression that reflects the concern of a free and democratic society to limit the availability of publications that promote and support the exploitation of children for sexual purposes.